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MICHAEL KIRK CAREY
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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,
12
Plaintiff,
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vs.
14 MICHAEL KIRK CAREY, et al.,
15
Defendants.
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CR. S-03-0097 FCD

**STIPULATION AND ORDER
CONTINUING STATUS
CONFERENCE RE: DEFENDANT
MICHAEL CAREY ONLY**

17 IT IS HEREBY STIPULATED between the United States of America, through its attorney
18 of record, Anne Pings, Assistant U.S. Attorney, and MICHAEL KIRK CAREY, through his
19 counsel, David W. Dratman, that the status conference scheduled for September 19, 2005 be
20 continued to October 3, 2005 at 9:30 a.m. for defendant CAREY only. (The other defendants are
21 proceeding on separate schedules.)

22 This matter continues to be complex within the meaning of the Speedy Trial Act due to the
23 volume of discovery, complexity of factual and legal issues and the need for defense counsel to
24 have additional time to prepare. The parties stipulate that the ends of justice are met by excluding
25 time until October 3, 2005; and, that the need of this defendant for additional time to prepare
26 exceeds the public interest in a trial within 70 days.

27 Accordingly, the time between for September 19, 2005 and October 3, 2005 should be
28 excluded from the calculation of time pursuant to the Speedy Trial Act, due to complexity and the

needs of counsel to prepare, pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) and (iv)[Local Codes T2 and T4].

Dated: September 16, 2005

/s/ David W. Dratman
DAVID W. DRATMAN
Attorney for Defendant
MICHAEL KIRK CAREY

Dated: September 16, 2005

McGREGOR W. SCOTT
UNITED STATES ATTORNEY

By: /s/ Anne Pings*
ANNE PINGS
Assistant U.S. Attorney
*Signed with permission

ORDER

IT IS SO ORDERED.

Dated: September 16, 2005

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Court Judge